

**Amendments to the Drawings**

The attached two (2) sheets of drawings address the objections raised. The details of the amendments may be found in the Remarks, below. No new matter is intended to be presented therein.

Attachment: Two (2) replacement sheets

### **REMARKS**

This amendment is in response to the Office Action dated April 2, 2007. Because this response is mailed on August 2, 2007 with a request for a one-month extension of time, the amendment is timely filed.

#### **I. Status of the Amendments**

Prior to this amendment, claims 8-14 were pending. By this amendment, claim 8 has been amended, and claim 13 has been canceled without prejudice to refile. Thus, claims 8-12 and 14 are pending. No additional claims fee is believed to be due, because the applicant previously paid for three (3) independent and twenty (20) total claims.

#### **II. Response to April 2 Office Action**

The specification stands objected to on the basis of alleged typographical or grammatical errors at page 5, line 23 and page 7, lines 6-7. Applicants have amended the specification in line with the proposed amendments of the April 2 Office Action. Thus, the objection should be withdrawn.

The abstract stands objected to on the basis of use of implied phrases and legal phraseology. Applicants have amended the abstract to remove reference to “the present invention”, “means” and “said”. Thus, the objection should be withdrawn.

The drawings stand objected to on various bases, as outlined in the April 2 Office Action at pages 2-4. The drawings have been amended only to the extent necessary to address the objections, and thus no new matter has been added. In particular, lead lines have been added for reference numeral 52 in Fig. 2A, and Figs. 3A, 3B. All view numbers now are preceded by the abbreviation “FIG.” and are larger than the numbers used for reference numerals, and each view is labeled separately. The multiple pedals 20 of Fig. 1 have been identified. The ribs or webs have been identified with a reference numeral (52), while the spring has not as it is not shown; it should also be mentioned that claim 13 has been canceled. Shading has been altered to improve legibility. Thus, the objections should be withdrawn.

Claims 8-14 have been rejected under 35 U.S.C. 112, first paragraph as allegedly failing in regard to the written description requirement, with comments made particularly in regard to claims 8 and 13. As to the rejection of claim 8, the applicants respectfully disagree. One skilled in the art, viewing Fig. 1, would understand that the axis (or shaft) 30 extends to the **right** from its **end** at the left of the module 10. In doing so, the axis 30 intersects the pedal 20 behind the right-hand wall of the module 10 (see also Fig. 2B). As a consequence, the pedal 20 is pinned at one end on the axis 30, thereby permitting the pedal 20 to move about the axis 30, or to be “rotatably mounted” on the axis 30. The rejection based on claim 13 is moot as claim 13 has been canceled. Thus, the rejections should be withdrawn.

Claims 8-14 have also been rejection under 35 U.S.C. 112, second paragraph as allegedly indefinite, with comments made particularly in regard to claim 8. In regard to the phrase “rotatably mounted,” applicants submit that the pedal 20 and axis 30 are not spaced, but instead the axis 30 intersects the pedal 20, as explained above relative to the rejection under section 112, first paragraph. In regard to the objection that “expandable” or “moveable” are indefinite, applicants have amended the claims to remove these terms. Thus, the rejections should be withdrawn.

Claims 8-12 and 14 are also rejected under 35 U.S.C. 102(b) as allegedly anticipated by Ananthasivan et al. (EP Publ. No. 0 997 361), and claims 8 and 10-13 are rejected under 35 U.S.C. 102(e) as allegedly anticipated by Mueller et al. (U.S. Patent No. 6,786,109). Applicants respectfully disagree.

Claim 1, as amended, recites a pedal security system for pedal mounting, particularly in motor vehicles, including a pedal rotatably mounted by means of a pedal axis, an opening for receiving and retaining the pedal axis, and a slot connected to the opening and defining longer sides, the slot comprising lateral walls along the slot longer sides. The lateral walls have a first position in which the lateral walls project into the slot and a second position in which the lateral walls are moved out of the slot, the pedal axis engaging the lateral walls and moving the lateral walls from the first position to the second position by exceeding a mechanical limit loading of the pedal axis, whereby the slot receives the pedal axis.

In particular, claim 1, as amended, recites that the lateral walls include ribs or webs that extend longitudinally in the slot. Exemplary embodiments of such structures may be found in the figures, Figs. 1, 2A and 3B, for example.

The allegedly corresponding lateral walls of Ananthasivan et al. and Mueller do not meet this limitation. Simply put, there are no corresponding ribs or webs present in the allegedly corresponding slots of Ananthasivan et al. and Mueller that extend longitudinally in the slot. At best, Ananthasivan et al. shows a pair of semicircular extensions 48 that depend into the slot; these are not, however, the recited ribs or webs that extend longitudinally in the slot and that meet all of the other limitations recited in regard to the lateral walls. Mueller appears to be devoid of any similar structure.

In consideration of the fact that neither Ananthasivan et al. nor Mueller disclose each and every limitation of the claimed subject matter, the rejections of claim 1 should be withdrawn. Moreover, because the rejections of claims 9-12 and 14 rely on the application of Ananthasivan et al. or Mueller to claim 8 and because claim 8 is allowable over Ananthasivan et al. and Mueller, claims 9-12 and 14 should also be allowable as well for at least this reason.

In view of the foregoing, it is respectfully submitted that all of the pending claims of the above application are in condition for allowance, and reconsideration is respectfully requested. If there is any matter that the Examiner would like to discuss, the Examiner is invited to contact the undersigned representative at the telephone number set forth below. In any event, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 13-2855, under Order No. 30607/40513.

Dated: August 2, 2007

Respectfully submitted,

By \_\_\_\_\_  
Paul C. Craane

Registration No.: 38,851  
MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300  
Sears Tower  
Chicago, Illinois 60606-6357  
(312) 474-6300  
Attorney for Applicant

Attachments